



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

December 14, 2007

BY ELECTRONIC MAIL AND REGULAR MAIL

Mr. Benn Lewis
Vice President
Airtek Environmental Corp.
39 West 38 Street, 12th Floor
New York, N.Y. 10018

Re: Comments on November 15, 2007 Draft "Remediation Phase"
for Fiterman Hall at 30 West Broadway, New York, NY

Dear Mr. Lewis:

This letter is a follow-up to my letter of October 4, 2007 related to the draft "Remediation Phase" documents for Fiterman Hall at 30 West Broadway, New York, New York that were submitted by letter of November 15, 2007, by Airtek Environmental Corp. (Airtek) on behalf of the Dormitory Authority of the State of New York (DASNY) and the City University of New York (CUNY). The United States Environmental Protection Agency (EPA) has reviewed the November 15 draft "Remediation Phase" documents and consulted with the New York State Department of Labor (NYSDOL) and the New York City Department of Environmental Protection (NYCDEP) about the proposed modifications to the July 2007 draft for the "Remediation Phase" of the work for Fiterman Hall.

The comments from EPA, NYSDOL and NYCDEP are provided as attachments to this letter. EPA's review of the draft "Remediation Phase" documents focused on containment measures to control potential releases of contaminants, proper procedures for air monitoring and waste disposal. NYSDOL and NYCDEP based their reviews on the regulations related to performance of an asbestos project.

The regulators' review of the draft "Remediation Phase" documents is not intended as a review of any structural engineering matters regarding the deconstruction or of the means and methods for structural deconstruction of Fiterman Hall. Our comments do not address the shoring of the building, including, *e.g.*, shoring to support the scaffolding on the 5th & 14th floor setback roofs or the shoring for the installation of the

industrial shredder. In addition, the regulators are not commenting on the extent to which the current draft version of the "Remediation Phase" documents complies with New York City's Building Code, such as Subchapter 19. The regulators are relying on the expertise of the New York City Department of Buildings (NYCDOB) in these areas and on its oversight of all of structural deconstruction related matters for this project. All the regulators' comments on the draft "Remediation Phase" documents are being sent to the NYCDOB.

We assume that DASNY and CUNY were provided with comments, as necessary, and approvals by the NYCDOB consistent with NYCDOB's expertise and regulatory authority in these matters. The regulators request an update from Airtek on the status of all approvals from NYCDOB as of the date of this letter.

In addition, the regulators' review of the draft "Remediation Phase" documents is not intended as a review of the recommendations and requirements of the New York City Fire Department (FDNY) that are intended to ensure protective fire-safety measures in Fiterman Hall. Although many of the concerns of the FDNY were discussed during our meeting on October 2, 2007, the regulators request that Airtek inform them whether all the FDNY's concerns have been incorporated in the November 2007 submission of the "Remediation Phase" documents. Kindly provide an update on the status of any additional work required by FDNY for Fiterman Hall and all approvals from FDNY as of the date of this letter.

The regulators reserve the right to modify the attached comments and/or make additional comments about the proposed work if new information becomes available or information, currently known and considered, is changed in whole or in part during the review process for the "Remediation Phase" documents and during the "remediation and deconstruction" phases of the project. The attached comments do not pertain to any matters not addressed in the documents reviewed. In the event that the plans for the "remediation and deconstruction" have to be supplemented as the project proceeds, the regulators will review and may provide additional comments after we review the supplementary information and documents submitted on behalf of DASNY/CUNY. Any modifications made to the draft "Remediation Phase" documents as a result of future modifications agreed to by NYCDOB, FDNY, and DASNY/CUNY and/or its representatives should be formally submitted to EPA and the other regulators referenced in this letter for their review and comment.

The following draft "Remediation Phase" documents were reviewed by the regulators in order to understand and evaluate the procedures for the "Remediation Phase":

- Regulatory Submittal Part I(R) – Remediation Work Plan, dated November 14, 2007
- Regulatory Submittal Part IV(R) – Remediation Phase Waste Sampling and Management Plan, dated October 26, 2007

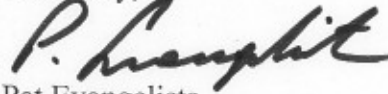
- Work Plan (R) Attachments which consist of Attachments I through XII to the Remediation Work Plan, and
- Response to the Regulator Comments, submitted with the November 15, 2007 cover letter with the draft "Remediation Phase" documents

The Draft "Remediation Phase" documents reference work that is intended to be performed during the "Deconstruction Phase." As stated in my letter of October 4, 2007, the regulators' comments should not be construed of as a review of any "Deconstruction Phase" procedures. The regulators reserve the right to request further information about deconstruction procedures and to provide additional comments when all the proposed plans for the "Deconstruction Phase" have been developed and submitted to the regulators for review.

To explain the proposed revisions to the draft "Remediation Phase" documents in support for the "remediation and deconstruction" of Fiterman Hall, EPA requests that DASNY/CUNY provide the regulators with a separate response to each of the attached comments that states: (1) whether the comment has been incorporated into the revised draft "Remediation Phase" documents; (2) if a comment has not been incorporated, the reason it was not incorporated; and, (3) any additional information that explains DASNY/CUNY's response to the attached comments. Your response to the attached comments will facilitate the regulators' review process. In your response, kindly inform the regulators of DASNY/CUNY's schedule for submitting the revised draft "Remediation Phase" documents in support of the "remediation and deconstruction" of Fiterman Hall, and the other deliverables referenced in this letter.

After DASNY/CUNY and its consultants have an opportunity to review the regulators' comments and this letter, please let me know if you would like to discuss them during a teleconference or at a meeting. We look forward to your response to our comments prior to the commencement of any "Remediation Phase" work. If you have any questions please contact Mr. Emmet Keveney of my staff at (212) 637-3459.

Sincerely,



Pat Evangelista
WTC Coordinator
New York City Response and Recovery Operations

Attachment

cc: Richard Mendelson, OSHA w/encl.
Suzanne Mattei, NYSDEC w/encl.
Chris Alonge, NYSDOL w/encl.
Krish Radhakrishnan, NYCDEP w/encl.
Robert Iulo, NYCDOB w/encl.
Mike Weinlein, FDNY, w/encl.

Richard Dalessio, DASNY w/encl.
Max Pizer, CUNY w/encl.

Regulatory Submittal Part I(R)
Remediation Work Plan
Dated November 14, 2007

Section 4.4: Fire Protection

1. An additional section, Section 9.0, Fire Protection, has been added to the Remediation Work Plan to address FDNY's recommended fire protection measures. It is recommended that Section 9.0 should be referenced in Section 4.4 to indicate that further details on the fire protection measures to be implemented and maintained can be found in Section 9.0.
2. Section 4.4 only discusses a single standpipe while the newly incorporated Section 9.0 states that the existing standpipe system consists of two standpipes, one located in Stairwell B and the second located in Stairwell C. Please revise Section 4.4 to make it clear that there are two standpipes for the building as stated in Section 9.0.

Section 5.4: Visual Inspection

3. Reference is made to Section 6.21 for the clearance criteria for the project. Based on revisions made to the Remediation Work Plan there is no longer a Section 6.21. Section 6.21 is now Section 6.20 (Work Area Clearance Criteria). Please revise this section, and any other sections of the Remediation Work Plan that make reference to the section where the clearance criteria can be found. At a minimum, Sections 5.4, 6.0, 6.1.1, and 6.19 should be revised to reference the proper section that discusses the clearance criteria.

Section 6.0: Remediation Operations

4. There is a conflict in the level of personal protective equipment (PPE) stated to be used during the Remediation Phase between the revised draft November 14, 2007 Remediation Work Plan and the draft January 17, 2007 Remediation and Abatement Operations Health and Safety Plan (Remediation HASP). Section 9.0 (Personal Protective Equipment) of the Remediation HASP states the following: "all abatement activities in designated Interior Containments can be conducted in Level C personal protective equipment (PPE)". Section 9.0 of the Remediation HASP continues to clarify that "Level C personal protective clothing and equipment includes: Full-face powered air-purifying respirator (PAPR) with HEPA filter approved by the National Institute for Occupational Safety and Health (NIOSH)/Mine Safety and Health Administration (MSHA). Half-face air-purifying respirators (APR) may be used during work preparation activities or removals of non-friable materials." This is contrary to Section 6.0 (Remediation Operations) of the Remediation Work Plan which states the following: "The minimum PPE required for remediation operations is as follows: Respirators (Half-Face APR, Full Face APR, PAPR). Any work exterior to the building will be performed utilizing half-face APR. Full face APR will be utilized during the first three days of interior work under this re-opening in order to gather enough data from OSHA personal sampling to perform a negative exposure assessment for asbestos. Respirator type will

then be determined based on the results of this assessment.” Please clarify and revise the plans as may be necessary.

5. Airtek states that the respirator type will be determined based on the results of a negative exposure assessment. Please note in this section that if changes to the level of PPE are determined that Airtek will notify the regulators of the change and the rationale/justification for the change prior to making a change.

6. A sentence was added to the second to last paragraph of Section 6.0 of the redlined version of the Remediation Work Plan which states the following: “Personal and waste decontamination facilities for the Remediation Operations, once installed, shall remain functional at all times during work.” The beginning of this paragraph discusses when the commencement of deconstruction activities would occur; and, the Remediation Work Plan states that heavy machinery and equipment, such as generators, elevator motors, and asbestos mastic on block kneewalls will be removed and disposed as asbestos waste at a minimum during the Deconstruction Phase. Will the personal and waste decontamination facilities remain functional during the deconstruction work or solely the remediation phase? Please clarify in this section.

Section 6.1: Establishment of Clean Zone

7. Page 13 of the redlined version of the Remediation Work Plan states that critical barriers will be installed on all stairwells, with the exception of stairwell C, to seal them off from the Clean Zone. Language was also added to this section that a “solid wall” barrier would be constructed to seal off the electrical closet adjacent to stairwell C. Please provide details in this section on what the “critical barriers” for the stairwells will consist of, and what the “solid wall” barrier” will entail, based on any input you may have received from the FDNY.

8. The top of page 13 of the redlined version of the Remediation Work Plan discusses a thirty-six inch emergency cut away panel to be installed on the west side of the elevator lobbies. The dimension for the emergency cut away panel referenced in Section 6.1 is not consistent with the dimension of the emergency cut way panel referenced in Section 9.0 (Fire Protection) for stairwells A and B. Please clarify if the FDNY is aware of the fact that the dimensions are different between the two sections of the Remediation Work Plan; and, if they have approved the usage of the two different set of dimensions for use as emergency cut away panels.

Section 6.1.8: First Floor Clean Zone Clearance Criteria

9. The last sentence of the second paragraph of the redlined version of the Remediation Work Plan should be revised to clarify that the aggressive air sampling will not be conducted until the regulators conduct their own visual inspection of the work area and determine the work area is free of visible dust and debris.

10. The first paragraph of page 27 of the redlined version of the Remediation Work Plan states that interior remediation on floors two through fifteen are outlined in Section 6.5. Section 6.5 discusses the shredder installation and not all of the interior remediation work for floors two through fifteen. Please revise to note the appropriate sections where this information can be found.

11. The last paragraph of this section discusses the waste storage area to be used on the outside of the west side of the building. It is recommended that this area be defined in one of the diagrams included in Attachment V (Remediation Operations Logistics Plans) (e.g., Configuration of Clean Zone) and reference to the diagram be included in this section.

Section 6.2: Upper Level & Basement Level Access

12. Reference is made to a secondary personal decontamination facility to be installed in the 1st floor clean zone. Please define this secondary personal decontamination facility in one of the diagrams included in Attachment V (Remediation Operations Logistics Plans) (e.g., Configuration of Clean Zone).

Section 6.4: Establishment of Interior Containment (Basement Level & Second Floor through Fifteenth Floor)

13. New language has been added to this section which makes reference to the layout of a typical upper floor. The new language states that the drawing is titled "Typical Upper Floor Work Area" in Attachment V – Remediation Operations Logistics Plans. This drawing states to refer to Section 6.5 of the Remediation Operations Work Plan. However, Section 6.5 refers to the shredder installation. Please revise the drawing to reference the appropriate section(s).

Section 6.5: Shredder Installation

14. This section states that a thirty-five thousand pound industrial grade shredder will be installed on the north side of the Building and that to support the weight of the shredder it will first be necessary to shore the floor underneath the "First Floor Clean Zone Shredder Area". The section further states that the shoring plans will be signed off by the engineer of record for the shredder installation prior to installation activities. Has the relevant information pertaining to the shredder, the shoring calculations and specifications, and the allowable equipment floor loading been provided to, or requested by, the New York City Department of Buildings (NYCDOB) for its review and acceptance? If so, what is the status of its review? If not, when is it planned to be submitted for its review and acceptance?

Section 6.6: Simultaneous Work Procedures

15. Please clarify in this section when the established decontamination facility at the northwest entrance (corner of Park Place and Greenwich Street) to the building will be

dismantled. Section 6.1 states it will remain in place and will serve as the personal decontamination facility for the remediation of the Clean Zone.

Section 6.7.1: Shreddable Material

16. Please clarify in this section how and where gaylord boxes will be loaded from the building during the use of the waste decontamination facility at the east side lobby (along West Broadway) until the primary waste decontamination facility is being constructed and fully operational. This section only discusses using the existing loading dock area on the west/southwest side of building (Greenwich Street) through the primary waste decontamination facility, once it is built and operational. This comment also applies to Section 6.7.2.

Section 6.7.2: Non-Porous, Cleanable Material

17. The first paragraph of page 39 of the redlined version of the Remediation Work Plan states that non-fixed items that are not shreddable but capable of being cleaned will be transported to the wash room of the waste decontamination facility. Please clarify which waste decontamination facility this refers to since earlier sections of the Remediation Work Plan discuss at least three different waste decontamination facilities that may be used during different stages of the preliminary work. This comment also applies to the reference to the "waste decontamination facility" in the first paragraph of page 40 of Section 6.7.3, the second paragraph of page 41 of Section 6.8, the last paragraph of page 42 of Section 6.9, the first, second, and third paragraphs of page 43 of Section 6.9, and various paragraphs of Sections 6.10, 6.11, 6.15, and 6.19 of the redlined version of the Remediation Work Plan.

Section 6.8: Exposed Building Components (Basement Level and Floors Two through Fifteen)

18. This section states that once decontaminated drums will be removed from the building to the exterior waste storage area. Please state in this section the location of the "exterior waste storage area" and in what figure of the attachments it can be found.

Section 6.12.1: Extension of Interior Containment

19. There are no specifics on what areas will undergo the extension of the interior containment discussed in this section. Please provide greater details, such as a schematic drawing, identifying the locations/areas where this will be conducted and reference them in this section.

20. Is Section 6.5 (Shredder Installation) the correct reference for the modified full containment procedures or is it Section 6.4 (Establishment of Interior Containment (Basement Level & Second Floor through Fifteenth Floor)? Please clarify and revise the Remediation Work Plan as necessary.

21. This section states the following at the end of the section: "Cleaning and clearance of Gash Area sections within the extended modified full containment of the interior of the Building will be performed as outlined below in Section 6.20." Section 6.20 (Work Area Clearance Criteria) does not discuss cleaning procedures, it only discusses clearance procedures for remediation phase work areas. Section 6.12.1 should be revised to discuss the details on the cleaning procedures to be followed for the gash area sections within the extension of the interior containment.

Section 6.12.2: Tent Procedures

22. There are no specifics on what areas will be using the tent procedures. Please provide greater details, such as a schematic drawing, identifying the locations where the tent procedures will be used and reference them in this section. There appears to be language missing from the fourth sentence of this section that makes the sentence incoherent after "NYS DOL and NYC DEP certified asbestos handlers will".

23. What is the "Gash Area focused cleaning procedure outlined in the approved Regulatory Submittal Part I(S) – Scaffold Erection Operation Work Plan" referenced in this section? What section of the Scaffold Erection Operation (SEO) Work Plan can this be found and why was it not referenced in this section. This comment also pertains to Section 6.12.3 (SEO Gash Focused Cleaning Procedure) which states: "all surfaces within the Gash Area where the above listed impacted materials do not exist or are being removed by the tent procedure will be cleaned by the approved focused cleaning procedure outlined in the approved Regulatory Submittal Part I(S) – Scaffold Erection Operation Work Plan."

24. The first sentence of the first paragraph of page 49 of the redlined version of the Remediation Work Plan is incoherent. Please revise to add any missing language to make the sentence read properly.

Section 6.13.1: Loose Stone (Ballast) Re-Cleaning & OCME Operations and Section 6.13.6: Gash Area Roofing

25. The second to last bullet item of Section 6.13.1 and the last paragraph of Section 6.13.6 discuss a visual inspection of the building's roof levels by the owner's environmental consultant. Please incorporate language similar to what has been added to various other sections of the Remediation Work Plan which clarifies that the regulators will be contacted to perform a regulatory visual inspection after the area has passed a visual inspection by the owner's environmental consultant.

Section 6.13.3: Cooling Tower

26. This section states that panels will be removed from the tower in order to gain access to the plastic fill. The section discusses how the interior and exterior of the tower will be cleaned once the panels have been removed and once the tower fill has been removed and disposed properly. However, the section does not discuss how these panels will be cleaned, how they will be handled and disposed, and in what phase they will be removed

from the roof. Please revise this section to incorporate this relevant information. This comment also applies to Section 6.9 (Roofing Materials) of the Remediation Phase Waste Sampling and Management Plan (Remediation WSMP). Also, please clarify in this section in what phase the activities discussed in the last sentence of this section will be conducted.

Section 6.13.6: Gash Area Roofing

27. Language should be added to this section that indicates that a visual inspection will be conducted once the abatement activities reach the ten foot (10') demarcation from the gash area on all affected roof levels, as was done for the scaffold tie-in attachment points, to ensure that those portions of the roof levels are not impacted by WTC dust. These visual inspections should be documented as was done for the tie-in attachment points. If, based on the visual inspection, it is determined that WTC dust may be present, then the approach to be taken for the first ten foot of each affected roof level in the gash area, as already described in Section 6.13.6, should be taken for an area to extend out another to-be-determined distance past the original demarcated area after consultation with the regulators on the distance to extend past the original 10 foot distance from the edge of the affected roof levels in the gash area. This comment also pertains to Section 3.1.5 (Roofing Materials) of the Remediation Phase Waste Sampling and Management Plan.

Section 6.18: Spandrel Mastic, Kneewall, Brick & Mortar Removal

28. EPA had indicated in its previous comment that this new section to the Remediation Work Plan stated that if brick and mortar are not impacted by ACM or suspect WTC dust then these materials will be disposed of as conventional construction and demolition (C&D) waste. EPA asked if this conclusion had been drawn based on the waste characterization sampling that was to be conducted during the pilot test program for the removal of mastic conducted at the beginning of the scaffold erection operations phase.

Airtek's response stated the following: "The conclusion to dispose brick and mortar as C&D waste is based on a report documenting the results of the visual inspection of the entire façade and façade penetrations by the Owner's Environmental Consultant NYS DOL certified Inspectors that determined that the brick and mortar are not impacted by ACM or suspect WTC dust and therefore are suitable for disposal as C&D waste." Airtek stating that the conclusions for possible final disposal of this waste stream can be made based solely on a visual inspection is contrary to the accepted pilot test program. Section 6.4 (Pilot Program – Brick Removal & Mastic Abatement) of the Scaffold Erection Operation (SEO) Work Plan states the following: "If the air sampling characterization results confirm there is no airborne ACM impact from spandrel mastic removal within the Pilot Program tents, if no residual WTC dust is observed and if waste characterization results do not exceed RCRA/TSCA limits, fascia brick and mortar removed subsequent to the Pilot Program tents, in non-gash areas, will be handled and disposed of as conventional construction and demolition (C&D) waste."

Final conclusions to be drawn on the potential final disposal option for the brick and mortar were to be determined based on the waste characterization sampling that was to be conducted, in conjunction with the air sampling results and visual inspections, during the pilot test program. Please provide a summary of the waste characterization sampling that was conducted and provide a copy of the sampling results or identify where in Attachment D of the Remediation WSMP they can be found. Please revise Section 6.18 to state what conclusions are being drawn with regard to the final disposal options for the brick and mortar in the non-gash areas and those gash areas which will not require an environmentally-controlled handling and removal during the Remediation Phase based on the pilot test program waste characterization sampling results, in conjunction with the air sampling results and visual inspections conducted during the pilot test program.

Section 7.0: Anticipated Waste Generation

29. This section discusses the use of an “asbestos chamber of the exterior waste storage area” if an asbestos waste trailer is either full or not present. The diagram titled, “Detail of Attachment B – Waste Storage Area”, of Attachment B to the Remediation WSMP does not demarcate an area segregated for asbestos waste storage. Please clarify and revise Section 7.0 of the Remediation Work Plan and/or the aforementioned diagram as deemed necessary to address the storage of the asbestos waste if an asbestos waste trailer is either full or not present.

30. This section discusses the use of a “lead chamber of the exterior waste storage area”. The diagram titled, “Detail of Attachment B – Waste Storage Area”, of Attachment B to the Remediation WSMP does not demarcate an area segregated for the storage of lead waste. Please clarify and revise Section 7.0 of the Remediation Work Plan and/or the aforementioned diagram as deemed necessary to address the storage of the lead waste.

31. This section discusses the use of a “conventional waste chamber of the exterior waste storage area”. The diagram titled, “Detail of Attachment B – Waste Storage Area”, of Attachment B to the Remediation WSMP does not demarcate an area segregated for the storage of conventional waste. The diagram titled, “Waste Storage Areas”, of Attachment B to the Remediation WSMP has language which notes C&D waste storage within the second loading dock area. Please clarify where the conventional waste will be stored and revise Section 7.0 of the Remediation Work Plan and/or the aforementioned diagrams as deemed necessary to address the storage of the conventional waste.

Section 9.0 Fire Protection:

32. The last bullet item on page 66 of the redlined version of this section discusses the waste storage facilities being constructed on the exterior of the building and it discusses exterior waste storage facilities. Please clarify if any of the figures/drawings in the attachments to the Remediation Work Plan show the location of these items. If not, Attachment V (Remediation Operations Logistics Plans) should be revised to specify the location of these areas.

Regulatory Submittal Part IV(R)
Remediation Phase
Waste Sampling and Management Plan
Dated October 26, 2007
Submitted November 16, 2007

Section 6.2 Lead Based Paint Waste

1. Airtek revised the beginning of Section 6.2 of the Remediation Phase Waste Sampling and Management Plan (Remediation WSMP) to address the management and final disposal of the three lead-based paint waste streams identified in Section 5.5, Lead-Based Paint Survey, of the February 28, 2007 Preliminary Environmental Characterization Report, which remained in the following portions of Fiterman Hall: one loading dock fender post (pole), one basement ceramic sink, and one section of a building column. However, since the second sentence of this section still only discusses the approach to be taken for the "pole" and does not mention the building column nor the basement sink, Section 6.2 of the Remediation WSMP still does not clarify how these additional lead-based paint waste streams will be managed, characterized, handled, stored, and disposed. Please revise Section 6.2 to address all three lead-based paint waste streams.

2. EPA had also indicated in our previous comments to you that portions of the Remediation Work Plan may be impacted as well and should be revised as appropriate based on the abovementioned comment. Section 6.1.6 (Lead-Painted Item) of the Remediation Work Plan discusses the approach to be taken for one of the lead-based paint waste streams, the bumper pole. Section 6.11.1 (Lead Containing Items) discusses the porcelain sink. However, there is no discussion on how the one section of the building column will be managed, characterized, handled, stored, and disposed. This should be included in an appropriate section of the Remediation Work Plan.

3. Section 6.2 of the Remediation WSMP states the following: "Removed paint chips will be containerized in a five gallon drum designed to transport lead waste. The drum will be properly labeled, processed through the waste decontamination facility and moved to the existing exterior waste storage." Since this section seems to only discuss the management and handling of the waste generated from the loading dock post, please clarify if the five gallon drum will have the capacity to handle the waste generated from the removal of paint chips from the building column and the sink if the paint is planned to be removed from the sink. If not, this section should be revised to discuss how the waste stream will be handled and stored. This comment also applies to any additions made to the Remediation Work Plan relating to lead-based paint waste streams.

Section 6.9 Roofing Materials

4. Information on the removal of the cooling tower fill and the cooling tower structure were incorporated from Section 6.13.3 (Cooling Tower) of the Remediation Work Plan. However, Section 6.13.3 of the Remediation Work Plan had additional language which

clarified the approach to be taken for the cooling tower structure if it was not possible to effectively clean the cooling tower unit while it was intact. This information, and any revisions made to Section 6.13.3 of the Remediation Work Plan, should be incorporated into Section 6.9 of the Remediation WSMP so that there is no conflict and discrepancy in the approach to be taken for the cooling tower and its fill between the two documents since it is discussed in both documents.

5. EPA asked that the Remediation WSMP summarize the approach to be taken for the edge of the roofs at the gash area on the south/southwest of the building where the roof membrane was compromised. Airtek revised Section 6.9 of the Remediation WSMP to state that these activities are outlined in Section 6.13.3 of the Remediation Work Plan. Section 6.13.3 discusses the cooling tower and does not discuss the roofs at the gash area. Please revise Section 6.9 of the Remediation WSMP to state in what section of the Remediation Work Plan this information can be found.

Section 6.6 Refrigerant-containing Equipment

6. Airtek states that the removal of refrigerant containing equipment will occur during the Scaffold Erection Operation (SEO) Phase; and, an amendment to the Final SEO Work Plan will be submitted to the regulators and that DASNY/CUNY's project team will await the approval of the amendment by the regulators prior to removal of the equipment. The timing of this work activity was first discussed between the regulators, DASNY, CUNY, and Airtek in the summer of 2007. If DASNY, CUNY, and Airtek are still proposing in the late fall of 2007 to conduct this work activity during the SEO Phase, when will the amendment to the SEO Phase Work Plan be submitted? The SEO Phase will be completed shortly and the regulators should have an appropriate amount of time to review and provide DASNY/CUNY any comments it may have on the proposed amendment to the SEO Work Plan for the removal of the refrigerant-containing equipment. The amendment should be submitted as soon as possible to give an ample amount of time for the review, and possible revisions that may be needed to the amendment request prior to the final acceptance of the amendment to conduct this work activity.

7. Since DASNY/CUNY proposes to remove the refrigerant-containing equipment during the SEO Phase, Section 4.5 (Refrigerant-Containing Equipment) of the Remediation WSMP should be re-written since it implies that this work will be conducted during the Remediation Phase. Section 6.6 (Refrigerant-Containing Equipment) of the Remediation WSMP also should be re-written to state that the work activities discussed with regard to purging the equipment will have been conducted and completed during the SEO Phase.

8. Section 6.6 of the Remediation WSMP states the following: "Once purged, this equipment will be handled in accordance with Part I (R) Section 6.18." Section 6.18 (Spandrel Mastic, Kneewall, Brick & Mortar Removal) of the Remediation Work Plan does not discuss the approach to be taken for the refrigerant-containing equipment once it

has been purged. Please revise Section 6.6 of the Remediation WSMP to state in what section of the Remediation Work Plan this information can be found.